

Notice of Allowability

Application No.

10/826,552

Applicant(s)

KRAMMER, VOLKER

Examiner

Jimmy T. Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/4/05.
2. ☒ The allowed claim(s) is/are 1-28.
3. ☒ The drawings filed on 17 September 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

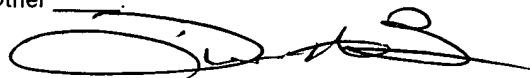
* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____



DERRIS H. BANKS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Werner Stermer on July 22, 2005.

The application has been amended as follows:

In claim 1, line 15:

Before the word "having", the words --- **each of said drainage elements** --- have been added.

In claim 1, line 18:

The punctuation mark " ; " has been replaced with the following words --- **and having opposing ends; and** ----.

In claim 1, line 19:

The words "two sides; and" have been deleted.

In claim 1, line 20:

The words "two sides" have been replaced with --- **ends of said hose** ----.

In claim 1, line 23:

Before the word "at", the words --- **to holding flanges disposed** --- have been added.

In claim 2, line 2:

The words "end; and" have been deleted.

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In claim 2, line 4:

The second occurrence words “said holding” have been deleted.

In claim 2, line 5:

The word “devices” has been replaced with --- said hose ---.

In claim 3, line 2:

The words “end; and” have been deleted.

In claim 9, line 2:

The word --- said --- has been added before the word “holding”.

In claim 12, line 3:

The word --- said --- has been added before the word “holding”.

In claim 27, line 15:

After the word “each”, the words --- **of said drainage elements** --- have been added.

In claim 27, line 16:

After the word “each”, the words --- **of said drainage elements** --- have been added.

In claim 27, line 20:

The punctuation mark “ ; ” has been replaced with the following words --- **and having opposing ends; and** ----.

In claim 27, line 21:

The words “two sides; and” have been deleted.

In claim 27, line 23:

The words “two sides” have been replaced with --- **ends of said hose** ----.

In claim 27, line 24:

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Before the word “in”, the words --- **to holding flanges disposed** --- have been added.

In claim 28, line 15:

After the words “elastic and”, the words --- **each of said drainage elements** --- have been added.

In claim 28, line 19:

The punctuation mark “ ; ” has been replaced with the following words --- **and having opposing ends; and** ----.

In claim 28, line 20:

The words “two sides; and” have been deleted.

In claim 28, line 21:

The words “two sides” have been replaced with --- **ends of said hose** ----.

In claim 28, line 24:

Before the word “at”, the words --- **to holding flanges disposed** --- have been added.

Reasons for Allowance

The following is an examiner’s statement of reasons for allowance: The art of record, considered alone or in combination, neither anticipates nor renders obvious a press for expressing liquid containing substances, in combination, as claimed in claims 1,27 and 28.

EP 0585596 A1 discloses a press for expressing liquid having a drainage element (8). This reference fails to disclose a plurality of drainage elements in an interior of a container, it fails to suggest the material of drainage element is of flexible or elastic material. Further, this

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reference fails to disclose holding devices removably and *releasably* securing the drainage element to holding flanges disposed at the container.

EP 0145948 A1 discloses a press for expressing liquid having drainage elements (12). This reference fails to disclose support element disposed inside each of the drainage elements.

US 3,951,058, US 4,475,451 and US 5,752,438 discloses various draining system being mounted a pressing plate as a unitary assembly.

None of the above references, by themselves on in combination with other prior art cited, teaches the invention as claimed in claims 1 and 27-28.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

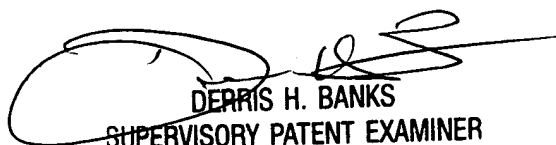
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy T. Nguyen whose telephone number is (571) 272-4520. The examiner can normally be reached on Mon-Thur 8:00am - 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on (571) 272- 4419. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JTNguyen
July 22, 2005



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